IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 553 OF 2005

Ravindra Purushottam Joshi ...Petitioner

Versus

State of Maharashtra and Ors. ....Respondents

Ms. Leena Patil instructed by Mr. S.R. Atre for the petitioner.
Mr. P.M. Patil, Assistant Government Pleader, for respondents.

CORAM: **DALVEER BHANDARI, C.J.** &
S.A. BOBDE, J.

DATE: **MARCH 14, 2005**.

P.C.

1. The petitioner has filed this petition seeking direction to respondent No.2 to recover the amount of gratuity of Rs.1,07,194/- together with appropriate interest thereon as ordered by the Competent Authority under the Payment of Gratuity Act, 1972, as arrears of land revenue dated 30th September, 2002/3rd October, 2002 and to pay the same to the petitioner.

2. We have heard the learned counsel for the parties.

3. Respondent No.4 has filed reply affidavit in which he has stated that the immovable property of the Company has been attached under Section 182 of the Maharashtra Land Revenue Code, 1966 (hereinafter referred to as “the Code”), and procedure for recovery is to be made by publishing notification under Section 193 of the Code. After adopting proper procedure, the immovable property in question shall be sold in auction.

4. We direct that out of the sale proceeds, the petitioner be paid his outstanding dues of gratuity in accordance with law.

5. No further directions are necessary. This petition is accordingly disposed of.

CHIEF JUSTICE

S.A. BOBDE, J.